

**IN THE SUPREME COURT OF THE  
STATE OF MONTANA**

**Supreme Court Cause No. DA 10-0281**

Lori A. Harshbarger  
JD Law Firm, P.C.  
Attorney for Appellant  
336 Waterloo Road  
Whitehall, MT 59759  
Tel: (406) 287-7933  
Fax: (406) 287-3175  
Email: jdlawfirm@msn.com

**KIMBERLY A. LOWRY,**  
**Appellant,**

**v.**

**NOTICE OF APPEAL**

**DAVID A. LOWRY,**  
**Appellee.**

NOTICE is given that Kimberly A. Lowry, the Appellant above-named and who is the Petitioner in that cause of action filed in the Third Judicial District, in and for the County of Powell as Cause No. DR-07-82, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 21st day of May, 2010.

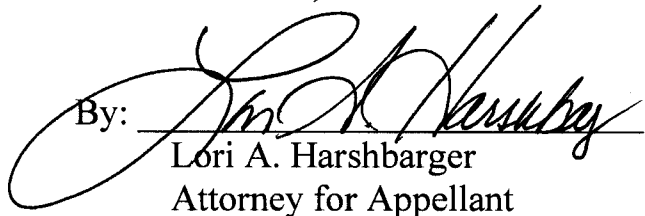
**THE APPELLANT FURTHER CERTIFIES:**

1. That this appeal is subject to the mediation process required by M.R. App.P.7.

2. That this appeal is not an appeal from an order certified as final under M.R. Civ. P. 54(b).
3. That the notice required by M.R. App. P 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
4. That all available transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal and Appellant has complied with the provisions of M. R.App.P 8(3) contemporaneously with the filing of this notice of appeal.
5. That included herewith is the filing fee prescribed by statute.

Dated this 8th day of June, 2010.

JD LAW FIRM, P.C.

By:   
Lori A. Harshbarger  
Attorney for Appellant

## CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

**Ms. Joan Burke**

Powell County District Clerk  
409 Missouri Avenue  
Deer Lodge, MT 59722

**Michael G. Alterowitz**

ALTEROWITZ LAW OFFICES, P.C.  
327 West Pine Street  
Missoula, MT 59802

**Attorney for Appellee**

Dated this 8th day of June, 2010.

JD LAW FIRM, P.C.

By: 

Lori A. Harshbarger  
336 Waterloo Road  
Whitehall, MT 59759

Attorney for Appellant